

A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM A SENTENCE FOR ANY CRIME OF VIOLENCE OR DRUG TRAFFICKING CRIME ESTABLISHING THE VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, §§ 27A and 27B.

In subsection (a)(1) of this section, the reference to "this section and § 4-107 of this subtitle" is substituted for the former reference to "this subheading" to reflect the reorganization of material derived from the former "Bulletproof Body Armor" subheading of Article 27.

In subsection (a)(6)(i) of this section, the Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that the terms "short-barreled shotgun" and "short-barreled rifle", as defined in § 4-201 of this title, are included in the term "handgun" as defined in the same section. It is unclear whether the terms "short-barreled shotgun" and "short-barreled rifle" as used in this section are redundant of the term "handgun", or differ in some way from those terms used in the definition of "handgun".

Defined term: "Person" § 1-101

4-107. SAME — PERMIT TO USE, POSSESS, OR PURCHASE.

(A) PROHIBITED — USE, POSSESSION, OR PURCHASE WITHOUT PERMIT.

EXCEPT FOR A PERSON HOLDING A VALID PERMIT ISSUED UNDER SUBSECTION (C) OF THIS SECTION, A PERSON WHO WAS PREVIOUSLY CONVICTED OF A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME MAY NOT USE, POSSESS, OR PURCHASE BULLETPROOF BODY ARMOR.

(B) PERMIT — PETITION.

A PERSON WITH A PRIOR CONVICTION FOR A CRIME OF VIOLENCE OR A DRUG TRAFFICKING CRIME MAY FILE A PETITION WITH THE SECRETARY FOR A PERMIT TO PURCHASE, POSSESS, AND USE BULLETPROOF BODY ARMOR.

(C) SAME — ISSUANCE.

ON RECEIVING A PETITION UNDER SUBSECTION (B) OF THIS SECTION, THE SECRETARY MAY ISSUE TO THE PETITIONER A PERMIT TO PURCHASE, POSSESS, AND USE BULLETPROOF BODY ARMOR UNDER THE TERMS, CONDITIONS, AND LIMITATIONS THAT THE SECRETARY SETS AS APPROPRIATE, BASED ON A DETERMINATION THAT THE PETITIONER:

(1) IS LIKELY TO USE OR POSSESS BULLETPROOF BODY ARMOR IN A SAFE AND LAWFUL MANNER; AND

(2) HAS SHOWN GOOD CAUSE FOR THE USE, POSSESSION, OR PURCHASE OF BULLETPROOF BODY ARMOR.

(D) SAME — REQUIRED CONSIDERATIONS.